

Department of Permits Approvals and Inspections
111 West Chesapeake Avenue
Towson, Maryland 21204

In the Matter of

Civil Citation No. 82757

Brian C. McCarter
809 Essex Avenue
Baltimore MD 21222

20 Stretham Court

Respondent

FINDINGS OF FACT AND CONCLUSIONS OF LAW
FINAL ORDER OF THE CODE ENFORCEMENT HEARING OFFICER

This matter came before the Baltimore County Administrative Law Judge on April 19, 2010, for a Hearing on a citation for violations of the Baltimore County Code (BCC) section 35-6-105, 35-6-112: Respondent has not obtained a rental housing license for the rental property located at 20 Stretham Court.

On April 8, 2011, pursuant to § 3-6-205, Baltimore County Code, Inspector Kathleen O'Donnell issued a Code Enforcement citation. The citation was sent to the Respondent by 1st class mail to the last known address listed in the Maryland State Tax Assessment files.

The citation proposed a civil penalty of \$1,000.00 (one thousand dollars).

The following persons appeared for the Hearing and testified: Brian C. McCarter, Respondent and, Kathleen O'Donnell, Baltimore County Code Enforcement Officer. The testimony offered at the hearing demonstrated that the Respondent, Mr. Brian McCarter has failed to apply for and obtain a rental housing license for the subject property. Inspector O'Donnell testified that she has given the Respondent every opportunity to file his application and secure this license. She further stated that:

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A. A Correction Notice was issued on September 1, 2010 requiring application by October 17, 2010.

B. This Citation was issued on April 8, 2011 imposing a civil penalty of \$1,000.00. Baltimore County Code (BCC) § 35-6-105 requires landlords to obtain a valid Rental Housing License before a residential property may be rented.

IT IS ORDERED by the Administrative Law Judge that a civil penalty be imposed in the amount of \$1,000.00 (one thousand dollars).

IT IS FURTHER ORDERED that the civil penalty will be REDUCED to \$100.00 (one hundred dollars) if Respondent obtains a valid rental housing license by May 19, 2011. Failure to obtain a valid license by that date shall cause the entire \$1,000.00 penalty to be imposed and additional charges being filed.

IT IS FURTHER ORDERED that if not paid within thirty days of billing, the civil penalty as authorized above shall be imposed and placed as a lien upon the property.

IT IS FURTHER ORDERED that the County monitor the situation to determine whether the violations have been corrected.

ORDERED this 20th day of April 2011

Signed: Original Signed 4/20/11
Timothy M. Kotroco
Administrative Law Judge

NOTICE TO RESPONDENT: The Respondent is advised that pursuant to §3-6-301(a) of the Baltimore County Code, the Respondent may appeal this order to the Baltimore County Board of Appeals within fifteen (15) days from the date of this order; any such appeal requires the filing of a petition setting forth the grounds for appeal, payment of a filing fee of \$150 and the posting of security in the amount of the penalty assessed.